



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

May 7, 2007

John Simkins
Federal Highway Administration
Virginia Division
P.O. Box 10249
Richmond VA 23240

**Re: I-81 Corridor Improvement Study in Virginia, Transportation Improvements
from the Tennessee Border to the West Virginia Border, Tier 1 Final Environmental
Impact Statement, CEQ No. 20070134**

Dear Mr. Simkins,

In accordance with the National Environmental Policy Act (NEPA), Section 309 of the Clean Air Act, and Section 404 of the Clean Water Act, the U.S. Environmental Protection Agency (EPA) offers the following comments on the above referenced document. Comments on the Draft Environmental Impact Statement (DEIS) were sent to Federal Highway Administration (FHWA) in correspondence dated February 16, 2006.

EPA appreciates the effort made to address issues put forward in our letter on the DEIS. As stated in the correspondence, EPA agrees with the selection of Sections of Independent Utility (SIU) presented in the Tier 1 DEIS. There are no objections to evaluation of a pilot project for tolling on the roadway. Proceeding with documentation for further study of the SIUs, customizing the design of the highway to the needs of the specific area is appropriate and beneficial from an economic and environmental viewpoint.

Tier 2 studies will be conducted for each of the SIUs. It is expected by our agency that alternatives that are proposed and evaluated in later documentation will thoroughly investigate avoidance and minimization of environmental, particularly aquatic, resources. This can include, but not be limited to, narrowing of the footprint, limiting lanes added, bridging, widening on one side for avoidance of resources. The potential impacts to Waters of the US are notable for this project. Though some wetlands may be degraded by their proximity to the existing roadway, evaluation of the resources has not been studied. Impact may be most significant to the streams, rivers and riparian buffers in the study area (the EIS states an estimated 23 to 32 miles of perennial streams could be affected by highway improvement). It is therefore imperative that the evaluation performed for the SIUs consider a range of avoidance and minimization efforts. There may additionally be opportunities for improvement of existing aquatic conditions currently degraded by the highway and its operation.



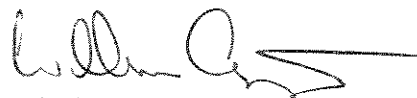
EPA had stated specific concerns about using updated traffic analysis which would reflect changes in transportation needs as a result of energy availability and prices, economic and growth trends along the corridor. It is accepted that FHWA will reevaluate traffic trends and needs with each SIU studied, which will include future innovations or changes in transportation patterns.

Correspondence from EPA asked for more detailed information on a range of topics including potential impacts along corridors on new location and a summary of major issues expected in each EIS or Environmental Assessments (EA) for Tier 2 (for instance Section 4(f) resources). It was indicated by FHWA that additional information will not be available until the study proceeds to the Tier 2 documentation. It is somewhat unfortunate that there seems to be no easy way to summarize or tabulate potential impacts by SIU. This could be used to help clarify the needed level of documentation in the Tier 2 process.

It has been indicated by FHWA that it is the preferred course of action to move to EAs or Categorical Exclusions (CE) for Tier 2 studies. It is of concern that this decision is being made in the absence of any level of detailed field study of resources. Although it is clearly understood that a higher level of study (an EIS) can be prepared after the completion of an EA, it is often a costly and controversial decision. EPA has stated in the correspondence on the DEIS our concern about proceeding with EAs for the Tier 2. EPA strongly suggests that evaluation and documentation at the level of an EIS be performed for SIUs where a corridor on new location will be evaluated. The level of data collection, impact analyses for the human and natural environment will be significant. These sections overlap complex issues of highway design, residential and commercial displacements, aquatic and other environmental and historic resources impacts. It would be prudent to evaluate these issues in an EIS.

EPA greatly appreciates the opportunity to participate in the I-81 study as a cooperating agency, and looks forward to a continued role in the development of the more detailed and focused studies required for each SIU. Please feel free to contact me at (215) 814-3367 or Ms. Barbara Rudnick at (215) 814-3322 with any questions or further discussion of the project.

Sincerely,



William Arguto
NEPA Team Leader
Environmental Programs Branch

